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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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10 RICHARD LEE CARMICHAEL,

11 Petitioner,

12 vs.

13 JO GENTRY, *et al.*,

14 Respondents.
15

Case No. 2:16-cv-01142-RFB-GWF

ORDER

16 This action is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 by a
17 Nevada state prisoner represented by counsel. On February 9, 2017, this Court issued an order finding
18 that petitioner's application to proceed *in forma pauperis* was lacking and granting petitioner an
19 opportunity to file a proper application. (ECF No. 8). On March 10, 2017, petitioner filed an *in forma*
20 *pauperis* application containing all necessary information and attachments. (ECF No. 10). Good cause
21 appearing, petitioner's application to proceed *in forma pauperis* is granted.

22 Also in the order filed February 9, 2017, this Court granted petitioner's motion for counsel and
23 appointed the Federal Public Defender to represent petitioner in this action. (ECF No. 8). On March
24 24, 2017, the Federal Public Defender's Office filed a notice of appearance for petitioner. (ECF No.
25 12). The Court now sets a schedule for further proceedings in this action.

26 **IT IS THEREFORE ORDERED** that petitioner's *in forma pauperis* application (ECF No. 10)
27 is **GRANTED**.
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1 **IT IS FURTHER ORDERED** that counsel for petitioner shall meet with petitioner as soon as
2 reasonably possible, if counsel has not already done so, to: (a) review the procedures applicable in cases
3 under 28 U.S.C. § 2254; (b) discuss and explore with petitioner, as fully as possible, the potential
4 grounds for habeas corpus relief in petitioner's case; and (c) advise petitioner that all possible grounds
5 for habeas corpus relief must be raised at this time in this action and that the failure to do so will likely
6 result in any omitted grounds being barred from future review.

7 **IT IS FURTHER ORDERED** that petitioner shall have **90 days** from the date of entry of this
8 order, to **FILE AND SERVE** on respondents an amended petition for writ of habeas corpus, which
9 shall include all known grounds for relief (both exhausted and unexhausted).

10 **IT IS FURTHER ORDERED** that respondents shall have **45 days** after service of an amended
11 petition within which to answer, or otherwise respond to, the amended petition.

12 **IT IS FURTHER ORDERED** that if and when respondents file an answer, petitioner shall
13 have **45 days** after service of the answer to file and serve a reply.

14 **IT IS FURTHER ORDERED** that all exhibits filed by the parties herein shall be filed with an
15 index of exhibits identifying the exhibits by number. Exhibits filed in the CM/ECF system must
16 correspond to the numbered exhibits identified in the index of exhibits. To the extent possible, the
17 parties shall avoid filing duplicate exhibits.

18 **IT IS FURTHER ORDERED** that the parties **SHALL SEND** courtesy (paper) copies of all
19 exhibits to the **Reno** Division of this Court. Courtesy copies shall be mailed to the Clerk of Court, 400
20 S. Virginia St., Reno, NV, 89501, and directed to the attention of "Staff Attorney" on the outside of the
21 mailing address label.

22 **IT IS FURTHER ORDERED** that petitioner shall file no further *pro se* documents and shall
23 proceed by and through appointed counsel.

24 Dated this 8th day of June, 2017.

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RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE